

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 27, 2006

DIVISION ONE

B187272 Bailey (Not for Publication)
v.
Valenzuela

The judgment is affirmed. Respondent is entitled to costs on appeal.

Mallano, Acting P.J.

I concur: Rothschild, J.

I concur in the judgment only: Vogel (Miriam A.), J.

B190204 People (Not for Publication)
v.
Sharif

The judgment is affirmed.

Mallano, Acting P.J.

I concur: Rothschild, J.

I concur in the judgment only: Vogel (Miriam A.), J.

DIVISION TWO

B183561 People (Not for Publication)
v.
Landeros

The section 12022.7, subdivision (a) enhancements imposed on the attempted murder and attempted robbery convictions are ordered stricken. The abstract of judgment is ordered to be amended to reflect that (1) those section 12022.7, subdivision (a) enhancements on are now stricken, (2) the section 12022.53, subdivision (d) enhancement on the attempted murder conviction was imposed and Landeros was sentenced to a consecutive term of 25 years to life for that enhancement, and (3) Landeros is awarded 129 days of presentence conduct credits. The clerk of the superior court is directed to prepare the amended abstract of judgment and forward a copy to the Department of Corrections. In all other respects, the judgment is affirmed.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.
Chavez, J.

DIVISION THREE

B184245 Six Flags, Inc. et al (Certified for Publication)
v.
Workers Compensation Appeals Board

The petition for writ of review is granted in part and denied in part. We annul the award of \$250,000 to the estate of Rackchamroon. We affirm the award of \$125,000 to the state.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION THREE (Continued)

B180922 People
 v.
 Bob Bejarano

Filed order vacating submission order of August 16, 2006. Due to the press of other court business and the complexity of the issues, additional time is needed to complete and file the opinion in this matter. Cause resubmitted.

DIVISION FOUR

B189811 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Brian G.

The order terminating Brian's reunification services is affirmed, and the matter is remanded to the juvenile court with directions to comply with the notice provisions of the ICWA. After proper notice under the ICWA, if N.G. is determined to be an Indian child and the ICWA applies to these proceedings, Brian is then entitled to petition the juvenile court to invalidate orders that violated the ICWA (See 25 U.S.C. §1914; Cal. Rules of Court, rule 1439(n)(1).)

Manella, J.

We concur: Epstein, P.J.
 Willhite, J.

DIVISION SIX

B192570 People (Not for Publication)
v.
Gentry

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

[illegible]

The appeal is dismissed and the case remanded to the trial court. Costs are awarded to respondent.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B192122 People (Not for Publication)
v.
Rice

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

DIVISION SIX (Continued)

B183395 People (Not for Publication)
v.
Toribio

We reverse the trial court's finding that Toribio's prior conviction constitutes a serious felony within the meaning of the three strikes law. We remand for resentencing or retrial of the prior conviction. In all other respects the judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B186114 SP West, L.L.C., (Not for Publication)
v.
Santa Paula Mobile Home Rent Review Commission, et al.
Home Owners West,

The order denying appellants' motion to intervene is affirmed. SP West's motion to partially dismiss appeal is granted and the purported appeal from the judgment entered June 7, 2005, is dismissed. Costs to respondents.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

November 27, 2006 (Continued)

DIVISION SIX (Continued)

B186196 Eriz (Not for Publication)
v.
Rodas

The judgment is affirmed. Respondents to recover costs on appeal.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B188216 Berti et al., (Certified for Publication)
v.
Santa Barbara Beach Properties et al.

The judgment is reversed and the matter remanded. Costs are awarded to appellants.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

DIVISION EIGHT

B175562 People (Not for Publication)
v.
Akins

The judgment is affirmed.

Cooper, P.J.

We concur: Rubin, J.
Boland, J.

DIVISION EIGHT (Continued)

B182910 People (Not for Publication)
v.
Brumfield

The judgment is reversed insofar as it imposes a parole revocation fine and a direct restitution order. That restitution order shall be subject to reconsideration in the trial court. In all other respects, the judgment is affirmed.

Cooper, P.J.

We concur: Rubin, J.
Flier, J.

B185532 People (Not for Publication)
v.
Steven M.,

In re Steve M., a Person Coming Under the Juvenile Court Law.

For the reasons set forth above, the order adjudging appellant to be a ward of the court based on count two (Pen. Code § 166, subd. (a)(4) and count three (Pen. Code, § 594.2, subd. (a)) is affirmed. In regards to the maximum year of confinement, the matter is remanded to the juvenile court with directions to modify the term to three years and eight months.

Cooper, P.J.

We concur: Rubin, J.
Boland, J.

November 27, 2006 (Continued)

DIVISION EIGHT (Continued)

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The judgment is affirmed.

Cooper, P.J.

We concur: Boland, J.
Flier, J.

B187623 People (Not for Publication)
v.
Aispuro

The judgment is affirmed.

Cooper, P.J.

We concur: Rubin, J.
Boland, J.

B190071 Los Angeles County, D.C.S.
v.
Glenda E.,
In re Anthony E. et al., a Person Coming Under the Juvenile Court Law.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed March 27, 2006) dismissed.